



HON. SYLVIA O. HINDS-RADIX
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LAW DEPARTMENT
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July 11, 2023

VIA ECF

Hon. Paul G. Gardephe
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *N.M. v. N.Y.C. Dep't of Educ.*, 23-cv-397 (PGG)(VF)

Dear Judge Gardephe:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein the only remaining claims are attorneys' fees, costs and expenses for legal work on administrative hearings under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et seq.* ("IDEA"), as well as for this action.

I write jointly with Plaintiff to request a 30-day extension of the stay of this action, from July 14 to August 14, 2023. This is the second request for a stay. Your Honor granted the first request on May 16, 2023. (ECF No. 15) . Plaintiff consents to this request. The City's review process is nearly complete and Defendant expects to be able to make an offer of settlement by or before the requested stay date. This office has settled many of the similar IDEA fees-only cases brought by plaintiffs represented by the Alizio firm in recent years without the need to burden the court with any sort of motion practice, conferences or even the need to file an Answer. We expect this case to take that same course.

Accordingly, Defendant respectfully requests a 30-day extension of the stay of this action, with a joint status letter due by August 14, 2023 either informing the Court that case has fully resolved or proposing a briefing schedule.

Thank you for considering this request.

MEMO ENDORSED

The Application is granted.

SO ORDERED:

cc: Steven

Paul G. Gardephe, U.S.D.J.

Dated: July 14, 2023

Respectfully submitted,

/s/

Marina Moraru
Special Assistant Corporation Counsel